



Appeal Decision

Site visit made on 27 April 2021 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2021

Appeal Ref: APP/R5510/W/20/3265782

47 Swakeleys Road, Ickenham UB10 8DG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mahajan against the decision of the Council of London Borough of Hillingdon.
 - The application Ref 75525/APP/2020/3200, dated 6 October 2020, was refused by notice dated 1 December 2020.
 - The development proposed is erection of a detached outbuilding to rear for use as storage associated with restaurant.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of a detached outbuilding to rear for use as storage associated with restaurant at 47 Swakeleys Road, Ickenham UB10 8DG in accordance with the terms of the application, Ref 75525/APP/2020/3200, dated 6 October 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans listed: Drg No. 140 (Site Location Plan) and Drg No. 132 Rev P1(Proposed Outbuilding).
 - 4) Prior to the first use of the building hereby approved 2 Ash trees shall be planted, in accordance with details shown on drawing No. 132 Rev P1. Thereafter, the trees shall be retained and any that die or become seriously diseased within a period of 5 years from the first occupation of the building shall be replaced with trees of the same species and height shown on the approved plans.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The appeal site is located within the Ickenham Village Conservation Area (the 'CA'). The main issue is whether the proposal would preserve or enhance character and appearance of the CA.

Reasons for the Recommendation

4. No. 47 is a two-storey mid-terrace mixed use property. It is part of a terraced block of two-storey properties along the shopping parade on the southern side of Swakeleys Road with long gardens at the rear, comprising nos. 45 to 49. These properties are commercial/retail at the ground floor and residential at the first floor. They are uniform in scale and have been extended at roof level as well as at ground floor level to the rear.
5. The Council has not provided any Conservation Area appraisal and has not stated which features make a significant contribution to the character of the CA. From my observations on visiting the site, the Conservation Area encompasses the historic core of the village, centred around the church and the junction between the High Road and Swakeleys Road, in addition to 20th century suburban development as well as the parkland landscape to the south and west. In the local context it would appear that the significant features are the front elevation of this group of properties of similar Tudor style design and scale with shop fronts at street level. Whilst the front of the block displays an attractive scale and rhythm there is no particular uniformity of extensions at the rear and much of this is hidden from public view due to the tight terrace blocks with access to the rear via narrow side access. There are also a couple of outbuildings within the rear gardens of properties in the area. As such, outbuildings are not an alien feature within the CA and the rear of the block does not make any notable contribution to the wider character of the area.
6. It would be constructed with similar material and rendered to match the host property and the flat roof would not look out of place amongst the range of outbuildings and rear extensions in the area, including those in neighbouring gardens. In that regard, it would not be harmful to the character and appearance of the host property, nor would it have any impact on the way the property is experienced within the Conservation Area, due to its concealed position. I note that tree planting is proposed to shield the structure from neighbouring dwellings and that could be secured by condition to ensure a satisfactory appearance when viewed from the rear of neighbouring properties.
7. I find that the proposal's impact on the character and appearance of the host dwelling would be acceptable. The contribution that the host property makes to the character and appearance of the area would not be diminished. The character and appearance of the area would be preserved. There would be no conflict with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1, DMHB4, DHMB11 and DMHB 12 of the Hillingdon Local Plan: Part Two Development Plan Policies (2020), Policy HC1 of the London Plan (2021) and the NPPF, which collectively require, amongst other things seek to ensure that new development within a Conservation Area or on its fringes, will preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness.

Other Matters

8. I note concerns from neighbouring residents about potential alternative uses for the storage building. However, I must consider the appeal on the basis of the information presented which is that the proposal would be used for storage in connection with the adjacent restaurant. Should the proposal be put to a materially different use in future, that would be a matter for the Council to consider.

Conditions

9. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal was allowed. I have considered the suggested conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance. I have adjusted the suggested wording of the conditions to reflect this advice.
10. A condition is necessary requiring that the development is carried out in accordance with the approved plans for certainty. In the interests of the character and appearance of the area, a condition is necessary to ensure that the external materials of the outbuilding match those of the host property. This condition is in place of the condition suggested by the Council requiring details and/or samples of all materials, colours and finishes to be used to be submitted for approval prior to commencement of development. This condition is unnecessary, as the application as well as the proposed plan specify that render finish would match the host building. For the reasons given above, the tree planting shown on the submitted plans is necessary to provide a screen to the neighbouring residential development and a condition is necessary to secure the planting and retention of those trees. Subject to that the appearance will be acceptable and a wider landscaping condition is not necessary.
11. Furthermore, conditions requiring details refuse and cycle storage are not necessary. This is because the outbuilding will be used for storage and it is not expected that it will generate any additional refuse than that generated by the restaurant. Neither is it a residential development in which occupants would require cycling storage.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed with the suggested conditions.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree with the recommendation and shall allow the appeal subject to the recommended conditions.

Chris Preston

INSPECTOR